



U.S. Army Contracting Command



Office of Small Business Programs

Small Business Workshop





Army Contracting Command Office of Small Business Programs

Address: AMCSCC-SB 3334F Wells Road Redstone Arsenal, 35896

Website: www.amc.army.mil/acc "click small business/Doing Business with ACC"



Ms. Alice Williams
Associate Director

Phone: 703-806-4017

E-mail: Alice.M.Williams@us.army.mil

Location: Belvoir 2-1SW1708



Mr. Christopher A. Evans
Deputy Associate Director

Phone: 256-955-7651

E-mail: Christopher.A.Evans@us.army.mil

Location: Redstone



Mr. Gaither West
**Service Disabled Veteran-Owned
Small Business (SDVOSB)
Program Manger**

Phone: 256-955-7654

E-mail: Gaither.West@us.army.mil

Location: Redstone



Ms. Darlene Brakefield
**Women-Owned Small Business (WOSB)
Program Manager**

Phone: 256-955-7657

E-Mail: Darlene.Brakefield@us.army.mil

Location: Redstone



Ms. Constance Jones
**Historical Black Colleges
and University/Minority Institute
Program Manger**

Phone: 256-955-7658

E-Mail: Constance.Jones@us.army.mil

Location: Redstone

Mr. Ryan Macdonald
Small Business SCEP
Phone: 703-806-1003

E-mail: Ryan.Macdonald@us.army.mil

Location: 2-1SW2107

Army Materiel Command Mission

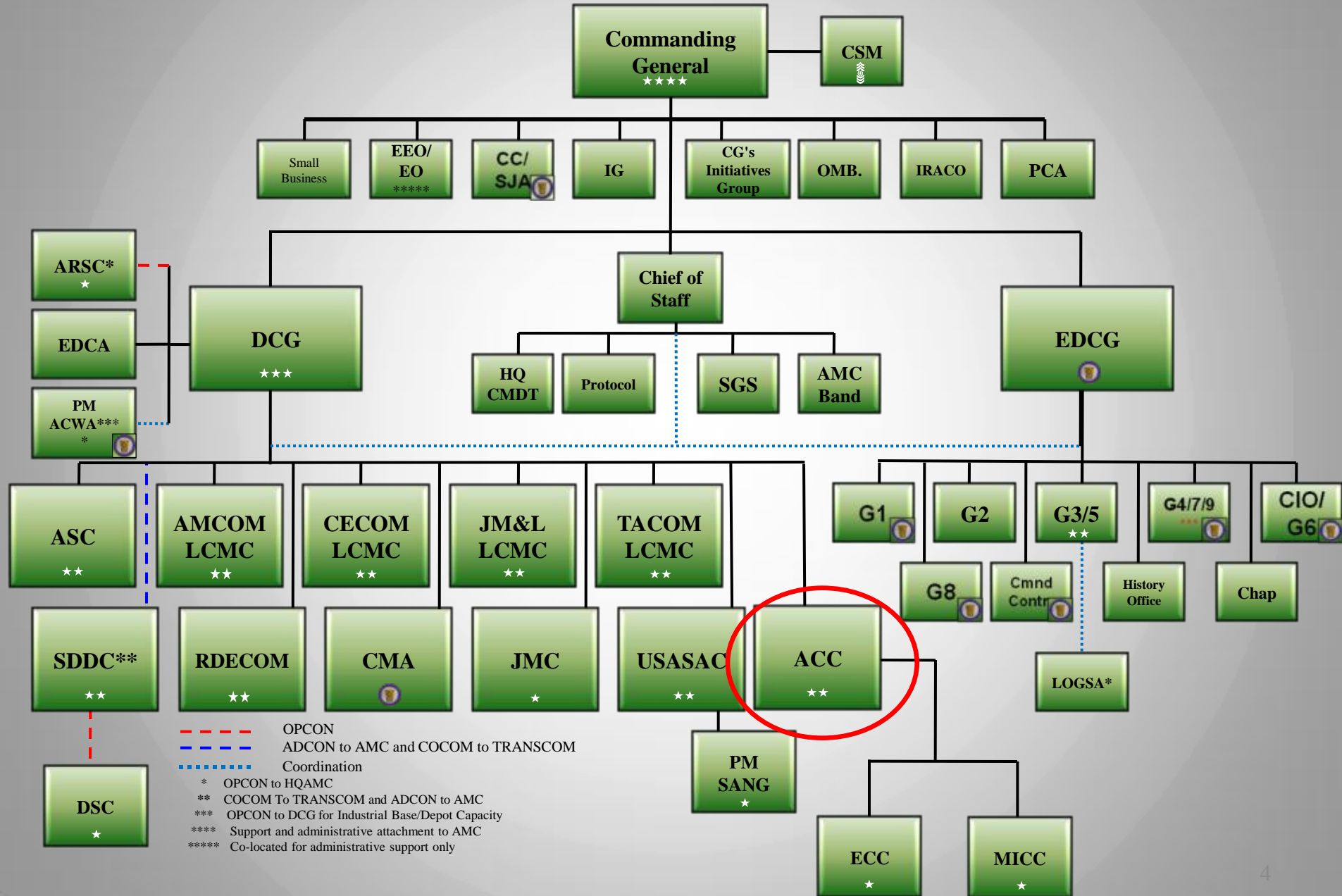


Provide superior technology, acquisition support and logistics to ensure dominant land force capability for Soldiers, the United States and our Allies

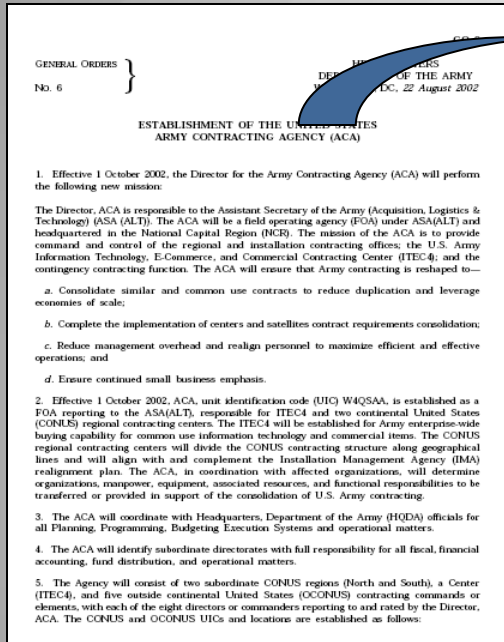


If a Soldier shoots it, drives it, flies it, wears it, eats it, or communicates it, Army Materiel Command provides it

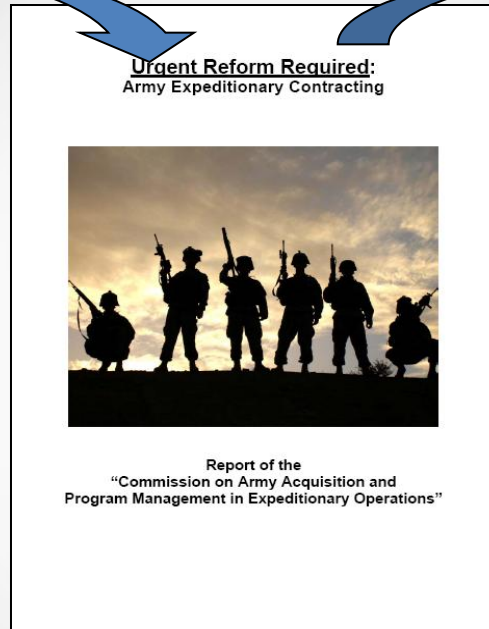
AMC Command



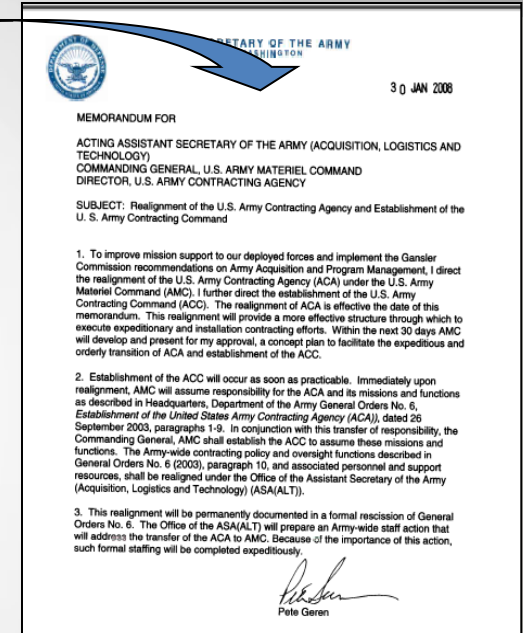
Gansler Commission



**General Order # 6
Establishment of Army
Contracting Agency (ACA)
June 2002**



**Gansler Report
Oct 2007**



**Realignment of ACA /
Establishment of
ACC and ECC
Jan 2008**

Electronic copies of this report can be found at:
[http://www.army.mil/docs/
Gansler_Commission_Report_Final_071031.pdf](http://www.army.mil/docs/Gansler_Commission_Report_Final_071031.pdf)

**Stood Up
1 Oct 2008**



Army Contracting Command

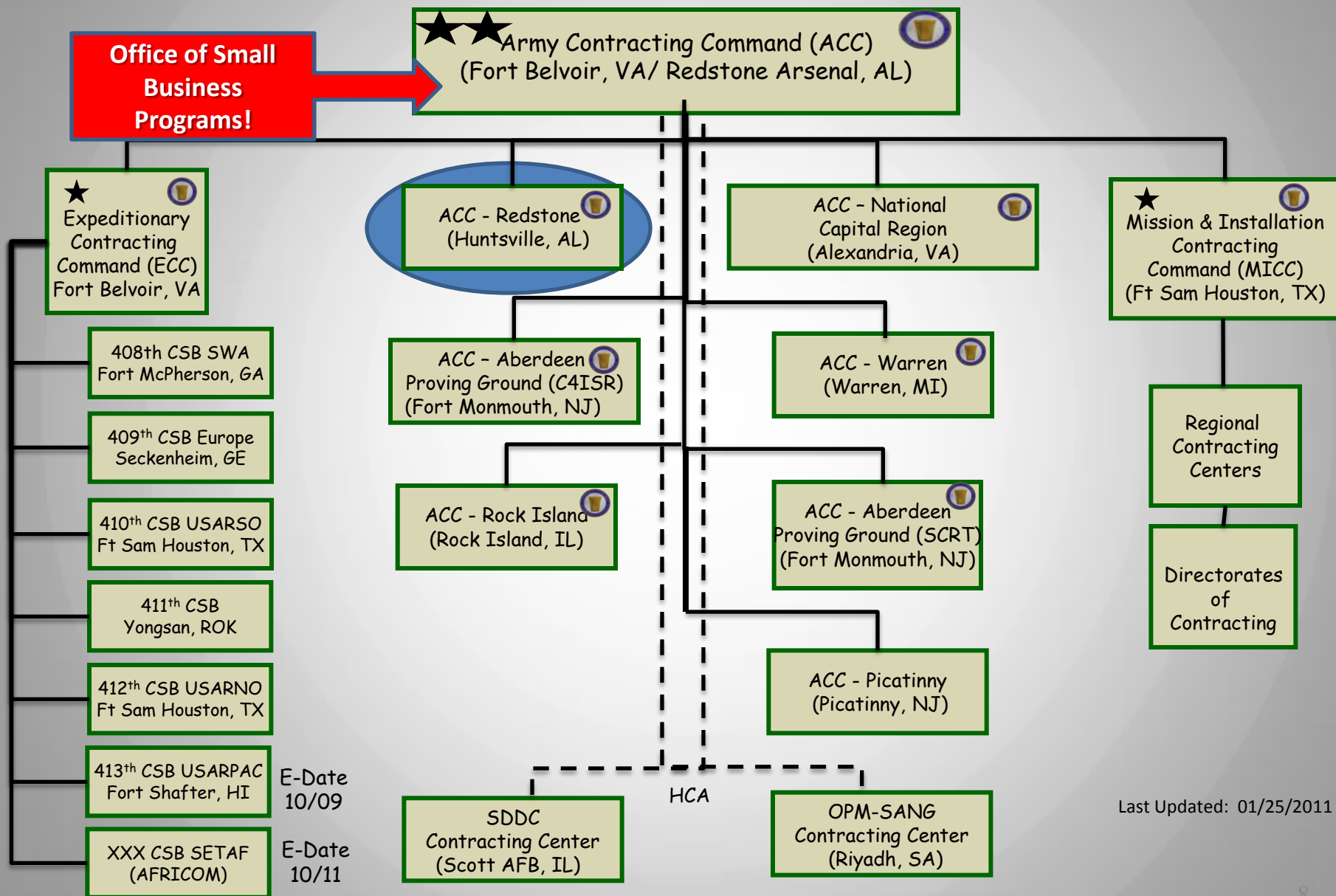
ACC Mission

Provide global contracting support to warfighters through the full spectrum of military operations

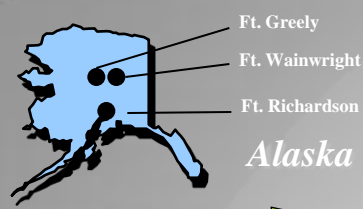
ACC Vision

A professional workforce providing quality contracting solutions in support of our warfighters

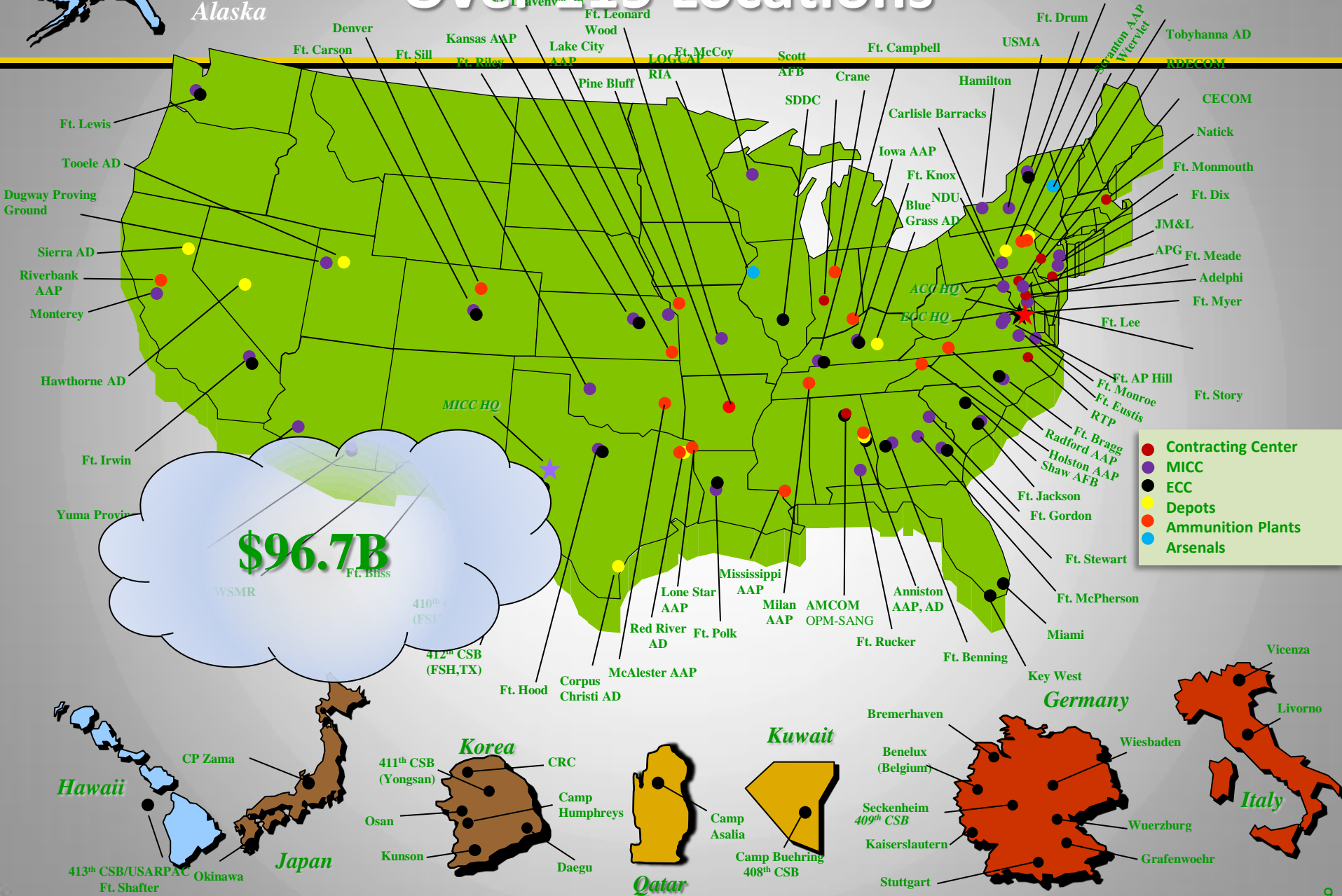
ACC Organizational Chart



Last Updated: 01/25/2011



Over 115 Locations



ACC

Office of Small Business Programs



Small Business Programs

- Small Business (SB)
- Small Disadvantage Business (SDB) 8(a)
- Historically Underutilized Business Zones (HUBZone)
- Women-Owned Small Business (WOSB)
- Service Disabled Veteran Owned Small Business (SDVOSB)
- Historically Black Colleges and Universities/Minority Institutions (HBCU/MI)

Explanation/definition of categories go to www.sba.gov
and Federal Acquisition Regulations (parts 19 and 26)
go to <http://farsite.hill.af.mil/>

ACC - OSBP Functions

- Serve as lead advisor to the Head of Contracting Activity relative to Small Business Programs.
- Review ACC Acquisition Strategies over \$500M
- Manage effective outreach programs on doing business with ACC, AMC, Army and the Federal Government.
- Implement ACC Small Business Goals and monitor progress for SB Programs

ACC Small Business FY10 Goals & Achievements

Category	FY 10 Goals	FY10 Achievements
Small Business	46.1%	39.71%
SDB	17.9%	19.27%
HUBZone	4.8%	7.21%
Women-Owned	7.8%	7.87%
Service-Disabled Veteran Owned	3.7%	4.85%
HBCU/MI	31.4%	Unknown



ACC Small Business FY11 Goals & Achievements

Category	FY 11 Goals	2nd Qtr FY11 Achievements
Small Business	46.1%	33.72
SDB	18.0%	14.18
HUBZone	5.0%	5.9
Women-Owned	7.8%	6.12
Service-Disabled Veteran Owned	4.0%	4.46
HBCU/MI	11.0%	Unknown



Where to Look



Business Opportunities



- ☐ Army Single Face to Industry (ASFI)

- ☐ FedBizOpps

 - Sources Sought

- ☐ Published Forecast

- ☐ ProcNet

- ☐ Subcontracting Opportunities

 - Sub-Net System

 - Tech-Net System

- ☐ Vendor Information Page

- ☐ GSA



Army Single Face to Industry (ASFI) Acquisition Business Web Site

"Serving the U.S. Army Acquisition Community"

The Army has created a single website that provides access to all Army solicitations, vendor bid history, Online Representations and Certifications Application (ORCA), Justifications & Approvals and many other helpful acquisitions items.

Website: <https://acquisition.army.mil/asfi>



- ☐ Find Federal Business Opportunities
 - ☐ Notices of Sources Sought, Set-Asides, Awards
 - ☐ Solicitation Postings
- ☐ Sign up to receive e-mail notification of business opportunities
- ☐ Subcontracting match-making opportunities
- ☐ Review award notices for subcontracting opportunities

Website: <https://www.fbo.gov/>

Sources Sought Response

Vendors



Federal Business Opportunities



- ☐ Contracting Officer's utilize Sources Sought notices to develop and shape the acquisition strategy
- ☐ Small Business Advisors use your responses to sources sought notices to determine if small businesses are **capable** and **interested** in the work
 - ☐ 2 or more responses are needed - and we can recommend that it be set-aside
 - ☐ When you fail to respond, the work is likely to go out full and open

Acquisition Forecasting



- Mission and Installation Contracting Command
- Surface Deployment and Distribution Command

<http://www.acc.army.mil/command-and-staff/staff/smallbusiness>

- Army Acquisition Forecast

<http://sellingtoarmy.com/user/showpage.aspx?SectionID=9>



- ☐ Tank Automotive & Armaments Command (TACOM)
- ☐ Procurement Network of Business Opportunities (in addition to FedBizOpps and Army Single Face to Industry (ASFI))
 - ☐ Solicitations, Notices, Awards, Acquisition History, Acquisition Future, and other Acquisition Information
 - ☐ Website: <http://contracting.tacom.army.mil>
- ☐ Sign up to receive e-mail notification of business opportunities
 - ☐ Vendor Notification System
 - ☐ Website: <http://contracting.tacom.army.mil/vendreg.cfm>
- ☐ TACOM procures research and development, systems, repair parts and services for the following:

Combat vehicles	Tactical vehicles /Trailers
Support Equipment	Tactical Bridges
Construction and material handling equipment	Fuel and Water Distribution Systems
Watercraft and Railcars	Future Combat Systems
Artillery	Base operation support
Depot maintenance	Recovery Vehicles
Combat Vehicle Armaments	Training Devices
Fire Control Systems	Cannons 105-165mm
Advanced Science and Technology Programs	Mortars
Aircraft Armaments	Small Arms
Mine Resistant Ambush Protected Vehicle (MRAP) Support	Chemical Defense

Subcontracting Plans

- ☐ Large Businesses – contracts over \$650K or over \$1.5M for construction
- ☐ Plans - realistic, challenging, and achievable goals IAW FAR Part 19.704
- ☐ Often, large businesses propose on procurements that evaluate small business participation as an evaluation factor (FAR Part 15).



Subcontracting Opportunities

Sub-Net System

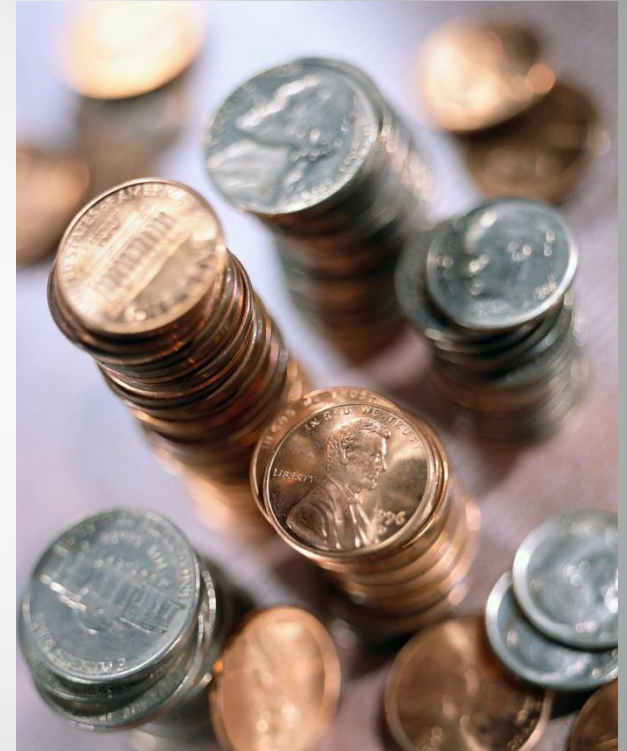
- ☐ Subcontracting Network
- ☐ Hosted by the Small Business Administration
- ☐ Marketing Tool
- ☐ Search Capabilities
- ☐ Website: <http://web.sba.gov/subnet>



Subcontracting Opportunities

Tech-Net System

- ☐ SBA Hosted
- ☐ Database of Small Business Innovation Research ([SBIR](#)) awards, Small Business Technology Transfer ([STTR](#)) awards
- ☐ Marketing Tool
- ☐ Search Capabilities
- ☐ Locate Teaming Partners
- ☐ Website: <http://tech-net.sba.gov>



Bid Matching Services



- ❑ U.S Department of Commerce
Minority Business Development
Agency

www.mbda.gov

Cost: Free

- ❑ FedBizOpps

www.fedbizopps

Cost: Free

Vendor Information Page

- ☐ Hosted by the Dept of Veteran Affairs
- ☐ Search database for veteran-owned small business
- ☐ Register for business opportunities Under (Vet Status Required)
- ☐ Update business profile annually

Website: http://www.vip.vetbiz.gov/general_user/default.asp



General Services Administration

GSA

- ❑ GSA Advantage – online purchasing service created to streamline procurements for all branches of government
 - reduces time, cost, bureaucracy
 - insures lowest price and qualified contractors/vendors
- ❑ Procures wide range of products and services
- ❑ Establishes long term contracts with commercial firms
- ❑ Small Business (SB) Advocate – all SB programs
Office of SB Utilization (202) 501-1021

GSA For Businesses

- ☐ Getting a Government Contract
- ☐ Tools for GSA Contractors
- ☐ How to sell to the Government
- ☐ Opportunities for Small Businesses
- ☐ Training

Website: www.gsa.gov

Marketing Techniques and Strategies



Marketing Strategies

Headquarters Level

- ☐ Personnel are focused on policy, strategic planning, outreach, training
- ☐ Responsible for reviewing strategies over \$500M

Field Level

- ☐ Personnel are focused on making determinations for set-aside for all actions over \$10K prior to Contracting Officer's release of solicitation
- ☐ Looks for 2 or more Small firms to make a determination.

Small Business Advisors

- ☐ Do not bombard personnel with emails
- ☐ Make your email powerful by relating it to qualified work currently posted on the www.FedBizOpps.gov. Timing is critical, since the Specialist has a small window of opportunity to find suitable Small Businesses to fit the advertized job
- ☐ Include a powerful email "Subject Line", referencing the opportunity, such as:
 - ☐ Reference: Sources Sought WKF408-R-8912
 - ☐ Reference: Solicitation WKGY8-09-R-2342



SmartPay

- ☐ Accept Credit Cards!
- ☐ Government Credit Cards are the same as corporate credit cards
 - ☐ VISA & MasterCard
- ☐ Preferred payment method
- ☐ Financial Institution of Choice for processing credit cards
- ☐ Website: www.gsa.gov “Smartpay”

Purchase Card:



Travel Card:



Fleet Card:



Integrated Card:



FPDS-NG

☐ Federal Procurement Data System – Next Generation

☐ Find out who buys your products and/or services

☐ Agency Breakout

☐ State Breakout

☐ Top Counties

☐ Top Agencies

☐ Top Contractors

☐ Website: www.fpds.gov



BPA

- ☐ Blanket Purchase Agreements
- ☐ Streamlined Accounts
- ☐ Recurring Needs for Specific Time
 - ☐ i.e. Base Office Supplies
 - ☐ i.e. Civil Engineering (GOCESS)
- ☐ Quantity Discounts
- ☐ Reduced Administrative Time



Federal Small Business Offices

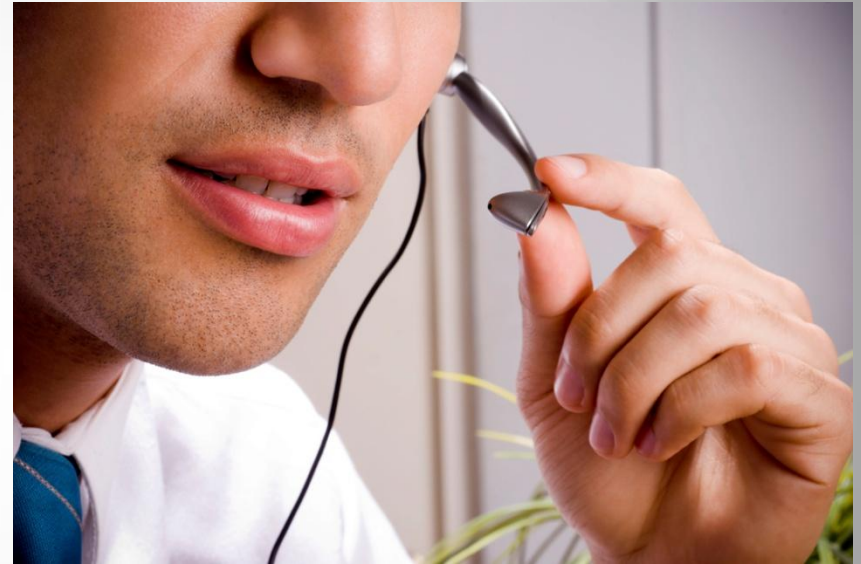
- ❑ Federal Office of Small and Disadvantaged Business Utilization (OSDBU) Directors Interagency Council (OSDBU Council)
 - ❑ The OSDBU Council is an informal organization of Federal small business program officials that comes together monthly to exchange and discuss information on acquisition methods, issues and strategies; small business program initiatives and processes; and small business related outreach events that permit their respective agencies to increase their utilization of small businesses as prime and subcontractors to meet their annual requirements for services and goods.
- ❑ Listing of Federal SB Offices
 - ❑ Website: www.osdbu.gov/offices.html



Agency Level Assistance Ombudsman

☐ Ombudsman

- ☐ person who acts as a trusted intermediary between an organization and some external constituency while representing the broad scope of constituent interests



☐ Listing of Federal Agency Ombudsmen

- ☐ http://web.sba.gov/ombudsman/contact/dsp_agency_contact.html

Agency Level Assistance Competition Advocate



- ☐ Competition Advocates are responsible for:
 - ☐ promoting the acquisition of commercial items
 - ☐ promoting full and open competition
 - ☐ challenging requirements that are not stated in terms of functions to be performed, performance required or essential physical characteristics; and
 - ☐ challenging barriers to the acquisition of commercial items and full and open competition such as unnecessarily restrictive statements of work, unnecessarily detailed specifications, and unnecessarily burdensome contract clauses.

Public Law 98-369

FAR Part 7 “Competition in Contracting Act of 1984”

Contractor Teaming



- ☐ Powerful Acquisition Strategy
- ☐ Creative / Total Solution
- ☐ Competitive Edge
- ☐ Potential Socio-Economic Advantage
- ☐ Widens your Marketing Potential

Business Cards



- ☐ First Impression of your business
 - ☐ Who you are
 - ☐ What you sell
 - ☐ What's your qualifications
 - ☐ Logos (Veteran-Owned Business)

- ☐ Make it clear what your business does (light blubs, computers, rugs, IT, etc)

- ☐ Ensure the contact and website information is still correct

- ☐ Make use of the back of the card
 - ☐ NAICS codes
 - ☐ GWAC Information
 - ☐ CAGE code

- ☐ Keep them clean and neat!

Company Capability Statements

- ☐ A Resume for your Business!
 - ☐ Who you are
 - ☐ What you sell
 - ☐ What specific qualifications you have
- ☐ Marketing Contracting
 - ☐ Develop general Capability Statement / Line Card
 - ☐ One Page (Front & Back)
 - ☐ Codes (CAGE, NAICS, DUNS, TIN, etc)
 - ☐ Vehicles (GSA Schedule, IDIQs, BPAs, etc)
 - ☐ Socio-Economic Status
 - ☐ Contact Information
 - ☐ Personnel & Facility Clearance
- ☐ Marketing Technical Personnel
 - ☐ Develop more robust Capability Statement / Line Card
 - ☐ Geared more toward technical information
 - ☐ Less than 10 Pages
 - ☐ Bound or stapled



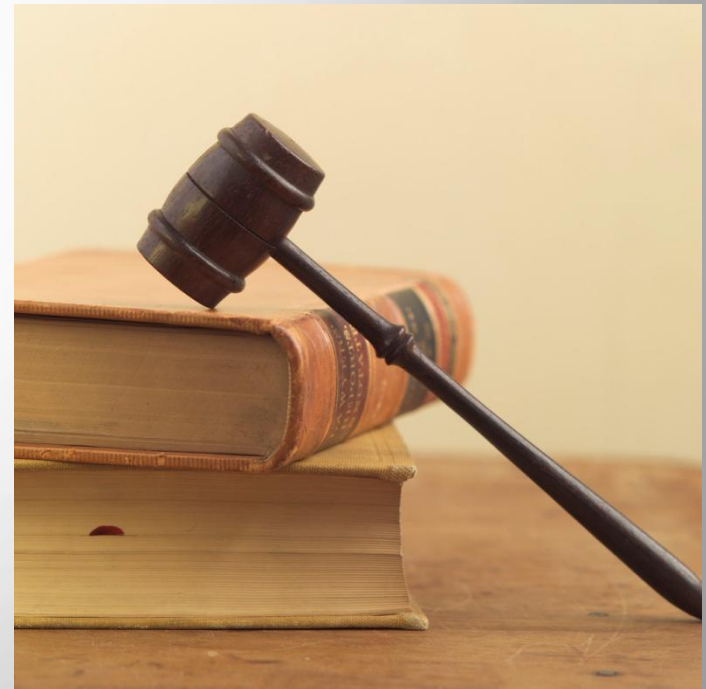
- ☐ Where Americans Can See.... “Where Their Money Goes”
- ☐ Have you ever wanted to find more information on government spending?
- ☐ Have you ever wondered where Federal contracting dollars and grant awards go?
- ☐ The Federal Funding Accountability and Transparency Act of 2006 (Transparency Act) requires a single searchable website, accessible by the public for free that includes for each Federal award:
 1. The name of the entity receiving the award;
 2. The amount of the award;
 3. Information on the award including transaction type, funding agency, etc;
 4. The location of the entity receiving the award;
 5. A unique identifier of the entity receiving the award.
- ☐ Website: www.usaspending.gov

Reference Materials



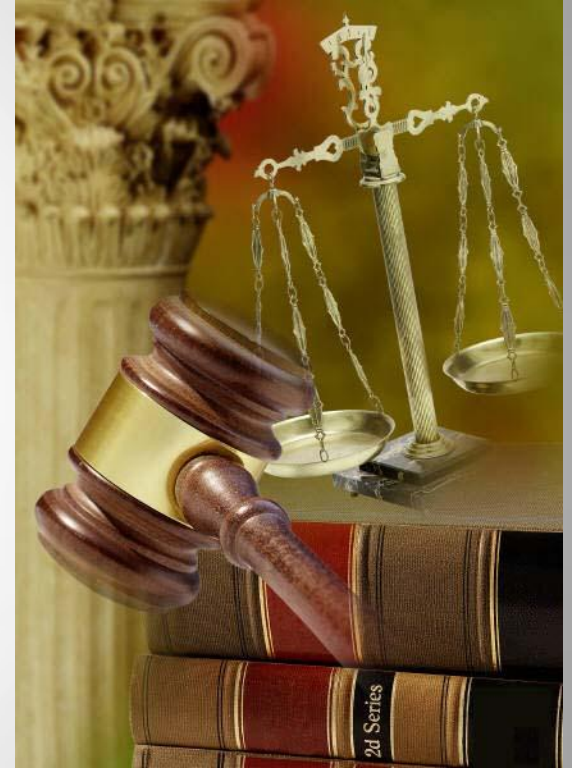
FAR

- ❑ Federal Acquisition Regulation
 - ❑ Part 5 – Publicizing Contract Actions
 - ❑ Part 8 – Required Sources of Supplies and Services
 - ❑ Part 12 – Acquisition of Commercial Items
 - ❑ Part 13 – Simplified Acquisition Procedures
 - ❑ Part 14 – Sealed Bidding
 - ❑ Part 15 – Contracting by Negotiations
 - ❑ Part 16 – Types of Contracts
 - ❑ Part 19 – Small Business Programs
 - ❑ Part 22 – Labor Laws
 - ❑ Part 26 – Other Socio-economic Programs
- ❑ Website: <https://www.acquisition.gov/far>



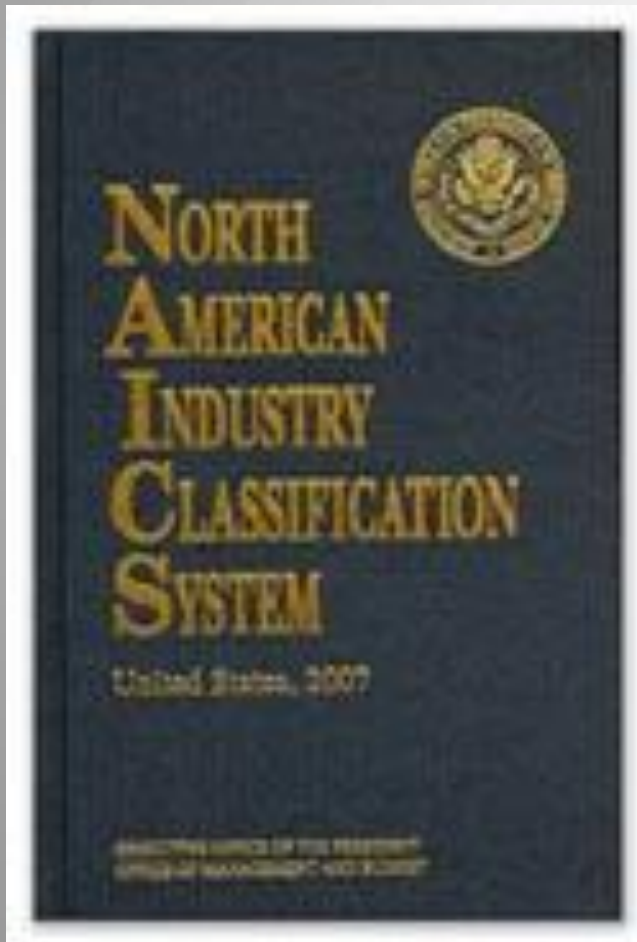
DFARS & AFARS

- ☐ Defense Federal Acquisition Regulation Supplement
- ☐ Army Federal Acquisition Regulation Supplement
 - ☐ Agency specific regulations, which are supplements to the FAR
- ☐ Website: <https://www.acquisition.gov/far>



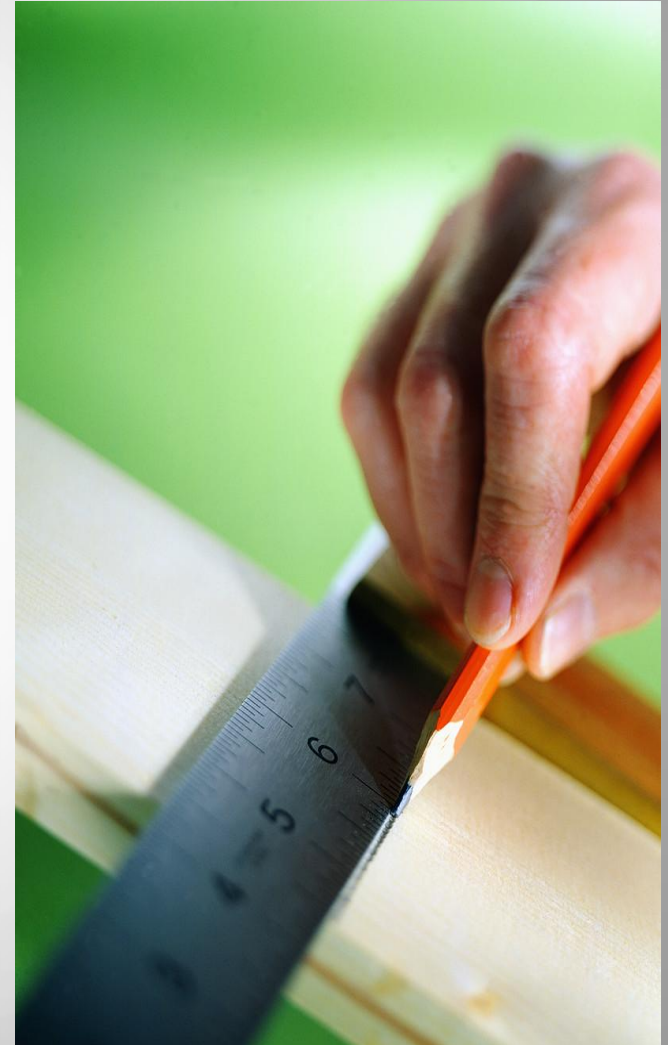
NAICS

- ❑ North American Industry Classification System
- ❑ Replaced the US Standard Industrial Classification (SIC) in 2000
- ❑ Jointly Developed by US, Mexico and Canada
- ❑ Classifies business establishments for the collection, tabulation, presentation, and analysis of statistical data describing the U.S. economy
- ❑ Robust search Capabilities
- ❑ www.census.gov/eos/www/naics/index.html



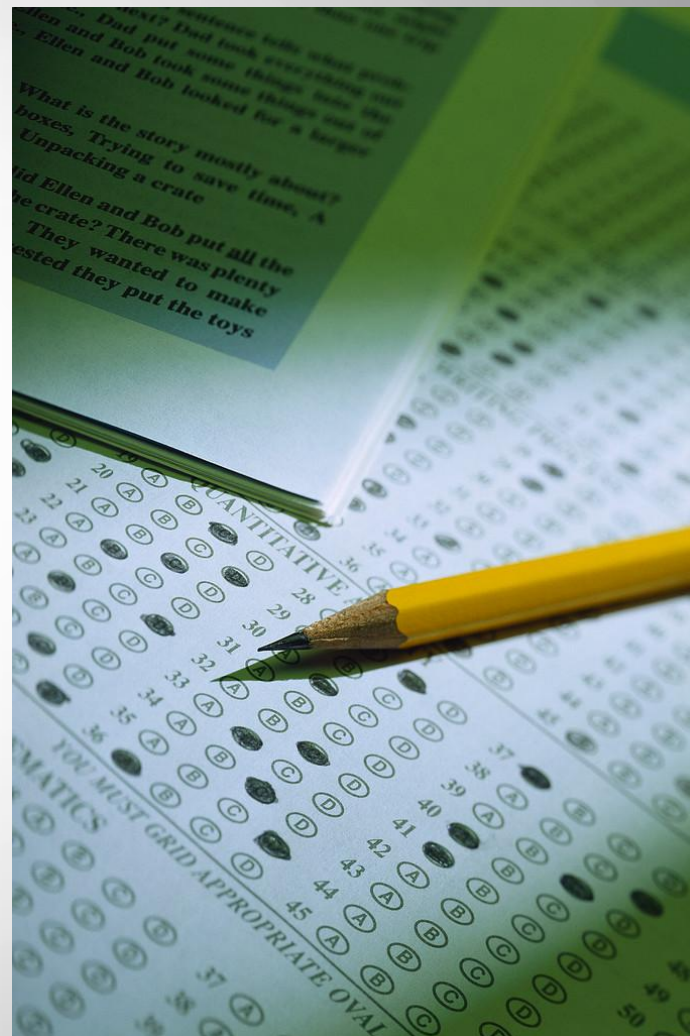
Business Size Standards

- ❑ Hosted by SBA
- ❑ Needed to determine SB eligibility for procurement opportunities in www.FBO.gov
- ❑ Separate Size Standard for each NAICS
 - ❑ Supplies = # of employees
 - ❑ Services = Average Annual Receipts
- ❑ Website: www.sba.gov



Federal Forms

- ❑ US Government's official hub for federal forms
- ❑ The Forms Catalog provides citizens and businesses with a common access point to federal agency forms.
- ❑ Search includes:
 - ❑ By agency form
 - ❑ By Form number
- ❑ Website: www.forms.gov



Small Business Newsletters

- ☐ Sponsor: Small Business Administration
- ☐ Newsletters that details policies, economic developments, regulatory trends, initiatives, conferences, etc.
 - ☐ Small Business Advocate Newsletters
 - ☐ VetGazette Newsletter
 - ☐ WMADO 8(a) Business Development
 - ☐ Procurement News
- ☐ Available: By Email or Mail
- ☐ Website: <http://web.sba.gov/list>



GSA's MarkeTips Magazine

- ☐ Bi-monthly publication for GSA Customers that profiles pertinent procurement, supply, property management and travel & transportation information
 - ☐ Cost: Free
 - ☐ Advertisement opportunities (fee-based)
 - ☐ Sent to over 110,000 federal and military subscribers worldwide
-
- ☐ Free Publications & Subscribe Website: www.gsa.gov/cmls
 - ☐ Current Copies Website:
<http://apps.fss.gsa.gov/pub/marketips.cfm>



U.S. General Services Administration

What does that Mean?

☐ **ADCOMSUBORDCOMPHIBSPAC**

☐ US Navy acronym for "Administrative Command, Amphibious Forces, Pacific Fleet Subordinate Command"

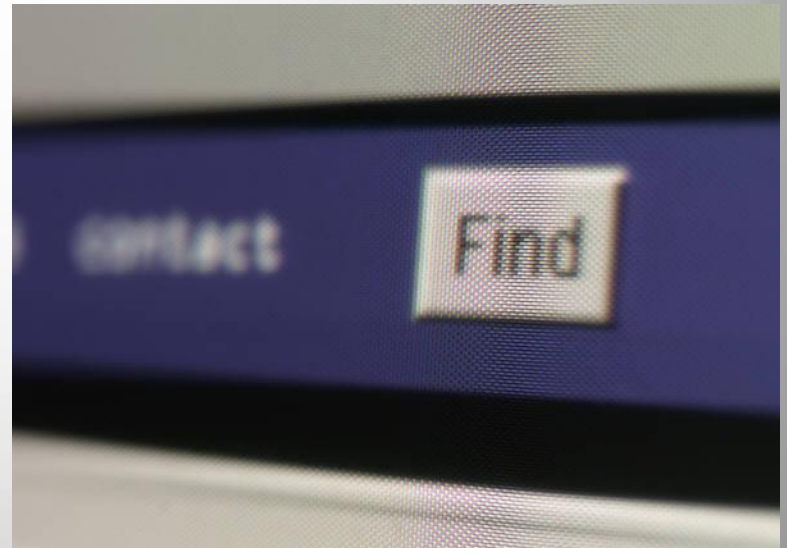
☐ **COMNAVSEACOMBATSYSENGSTA**

☐ US Navy acronym for "Commander, Naval Sea Systems Combat Engineering Station"

Acronym Finder

acronyms, abbreviations, and initialisms

Website: www.acronymfinder.com





Survival Tips

Survival Tips

- ☐ Understand government business and how your products / services relate
- ☐ Work closely with the Contracting Officer and be Respectful
- ☐ Accept Credit Cards to Prevent Missed Opportunities
- ☐ Section L&M - Follow Proposal Submittal Instructions
 - ☐ Validity, Page limits, # of copies, Question Deadlines
 - ☐ Set Proposal up in same format as RFP/IFB
- ☐ Find your Niche & Market Accordingly
- ☐ Seek & Accept Micro-Purchases (under \$3000)
- ☐ Obtain a Mentor (Large or Small Business)
- ☐ Consider Partner & Teaming Arrangements
- ☐ Develop a “Government” Capability Statement
- ☐ Develop a “Government” Business Card
 - ☐ with applicable federal codes & SB logos
- ☐ Understand the Contracting Officer’s Authority
- ☐ Be Responsive and Responsible (deadlines)



Survival Tips

- ❑ Sign Proposal (Signed only by Company Official with Proper Authority)
- ❑ Negotiations (only send Person w/ Proper Authority to Legally Bind Company)
 - ❑ Telephonically – be Mindful of Speakerphone “MUTE” verses the “HOLD” button
- ❑ Be prepared for Delays Entering Installation to Ensure Proposal / Bid is Timely
- ❑ Attend Pre-Proposal Conferences, Site Visits & Industry Days
 - ❑ Discover competitors, listen to off-line discussions, follow-up for clarifications, subcontracting opportunities with prime contractors
- ❑ Turn off Cell Phones & No Texting during Meetings!
- ❑ Protest – When Appropriate – Not Always
- ❑ Track Government Sales Data
 - ❑ Track GSA Schedule Sales Separately (industrial funding fee)
- ❑ Take Advantage of Training Opportunities



Survival Tips

- ☐ Keep Database Records with Passwords
- ☐ Keep Information Up-to-Date (Area Codes)
- ☐ Review www.FedBizOpps.gov daily (Hire Student)
 - ☐ Upcoming Opportunities
 - ☐ Award Notices for Subcontracting Opportunities
- ☐ Obtain Free D&B Business Credit Report (Annually)
- ☐ Proposals - Make Timeline & Cost Estimate
 - ☐ Can you afford to submit? (Win or Lose)
- ☐ Evaluation Factors – Know what's Important!
- ☐ Proposal – Provide alternate POC or General Phone #
- ☐ Online Catalog – Make Most of & Keep Updated
 - ☐ Honor outdated prices – do not argue with customer
- ☐ Intelligence Property – protect your rights, the gov't wont!
 - ☐ Apply for Patents, Copyrights & Trademarks



Survival Tips

- ❑ Meeting with Government Small Business Offices
 - ❑ Look at your own business website prior to meeting to understand questions
 - ❑ Look at my website – understand the nature of my business (client-focused)
 - ❑ Prior to meeting conclusion, request lead of another agency to market to with name/phone
- ❑ Subcontracting - Past Performance & Debriefings
 - ❑ Make formal agreement with Prime to obtain past performance information as a Subcontractor & attend or obtain debriefing information
- ❑ Trade Fairs – Put booth # on back of business card and pass out during event
- ❑ Diversify business in response to market trends (i.e. go green)
 - ❑ Be in control - do not chase the marketplace
- ❑ Trade Publications – submit an article based on your expertise
 - ❑ You pick topic & drive own success (free marketing opportunity)
- ❑ Voice Messages – Leave a Clear Phone # & Repeat
- ❑ Marketing – Be aware of Agency's Prohibited Items
 - ❑ Thumb-drives, CD's, Attachments, etc.
- ❑ Personnel – hire a former Federal Employee
 - ❑ (i.e. Contracting Officer for Proposal Writing)



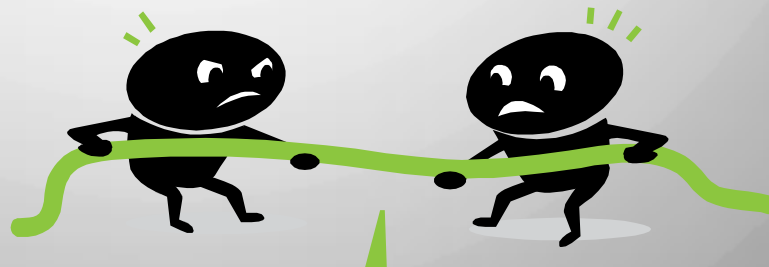
Survival Tips

- ❑ Know who you are Speaking to
 - ❑ Government Employee or Government Contractor
 - ❑ Contacting Officer, Contract Specialist, COTR or Other
- ❑ Introductions – Don't lead with your SB status – what can you do for the bottomline?
 - ❑ What difference are you going to make in profitability?
 - ❑ What problems are you going to solve?
 - ❑ How are you going to make them more efficient, save them money?
 - ❑ It's not your socio-economic status that earns you the right to do business with the company or government, it's your competence in business that earns you that right, and that what you lead with – every single time!
- ❑ Holiday Greeting Cards – Be Different and Stand Out
- ❑ Ensure Consistency between websites, CCR, Business Cards, etc.
- ❑ Always Request a Debriefing (Win or Lose)
 - ❑ Don't argue the results or attack Gov't Personnel
 - ❑ Utilize this time to gain insight



?? Sample Debriefing Questions ??

- ☐ Was our proposal responsive to your needs? If not, which ones did we miss?
- ☐ Did we meet all the solicitation requirements? If not, where were we deficient?
- ☐ Did it sound like we understood your project? If not, which aspects did we come up short on?
- ☐ Did we clearly call out the benefits to you of our approach? If not, which ones did we miss?
- ☐ Was our technical approach to resolving your problem adequate? If not, what was it lacking?
- ☐ Was our approach to managing the project what you were looking for? If not, how could we have improved it?
- ☐ Was the proposal easy to understand and follow? If not, which sections did you have trouble with?
- ☐ Were our costs too high?



Survival Tips

- ☐ Terms of Art – know and understand what you are talking about (FAR , NAICS)
- ☐ Trade Associations – utilize membership by making voice heard on Capital Hill
- ☐ Know your Competition – Know your Market
 - ☐ Market 1-2 agencies and then expand your market base (Not EVERY agency at once)
- ☐ Be aware of agency's priority preference – are there mandatory contracts?
 - ☐ Army Contracting Command – Office Supplies are purchased off mandatory BPA
- ☐ Become web-savvy or hire someone who is (Student)
- ☐ Understand Laws & Regulations that Impact you
- ☐ Promise only what you can deliver!
 - ☐ Keep your integrity & be honest
 - ☐ Deliver on time and on budget
 - ☐ Nothing Sells Better than Great Performance!





Army Contracting Command

Office of Small Business Programs

Contracting Basics

Christopher Evans
Deputy Associate Director

Expeditionary · Responsive · Innovative

What Is a Contract?

Commercial: Binding legal agreement that is enforceable in a court of law. That is to say, a contract is an exchange of promises - the breach of which the law will provide a remedy.

Government: The authority of a Contracting Officer (the Government's agent) to contract on behalf of the Government is set forth in a warrant that a person dealing with the Contracting Officer can review. As a result, unlike in commercial contracting, a contract with the U.S. Government must comply with the laws and regulations that permit it, and be made by a Contracting Officer within the express authority to make the contract.



Contracting Officer Warrant

Certificate of Appointment

Under authority vested in the undersigned and in conformance with
Subpart 1.5 of the Federal Acquisition Regulation

Stanley M. Johnson

is appointed

Contracting Officer

for the

United States of America

Subject to the limitations contained in the Federal Acquisition Regulation and to the following:

In accordance with the FAR, DFARS, and AFARS, there is no any limitation or condition on this appointment other than
those established by law, regulation, and directive.

Unless sooner terminated, this appointment is
effective as long as the appointee is assigned to:

National Capital Region Contracting Center

(Organization)

United States Army Contracting Command

(Agency/Department)

(Signature and Title)

Principal Assistant Responsible for Contracting

(Signature and Title)

04/24/2009

(Date)

09-0013

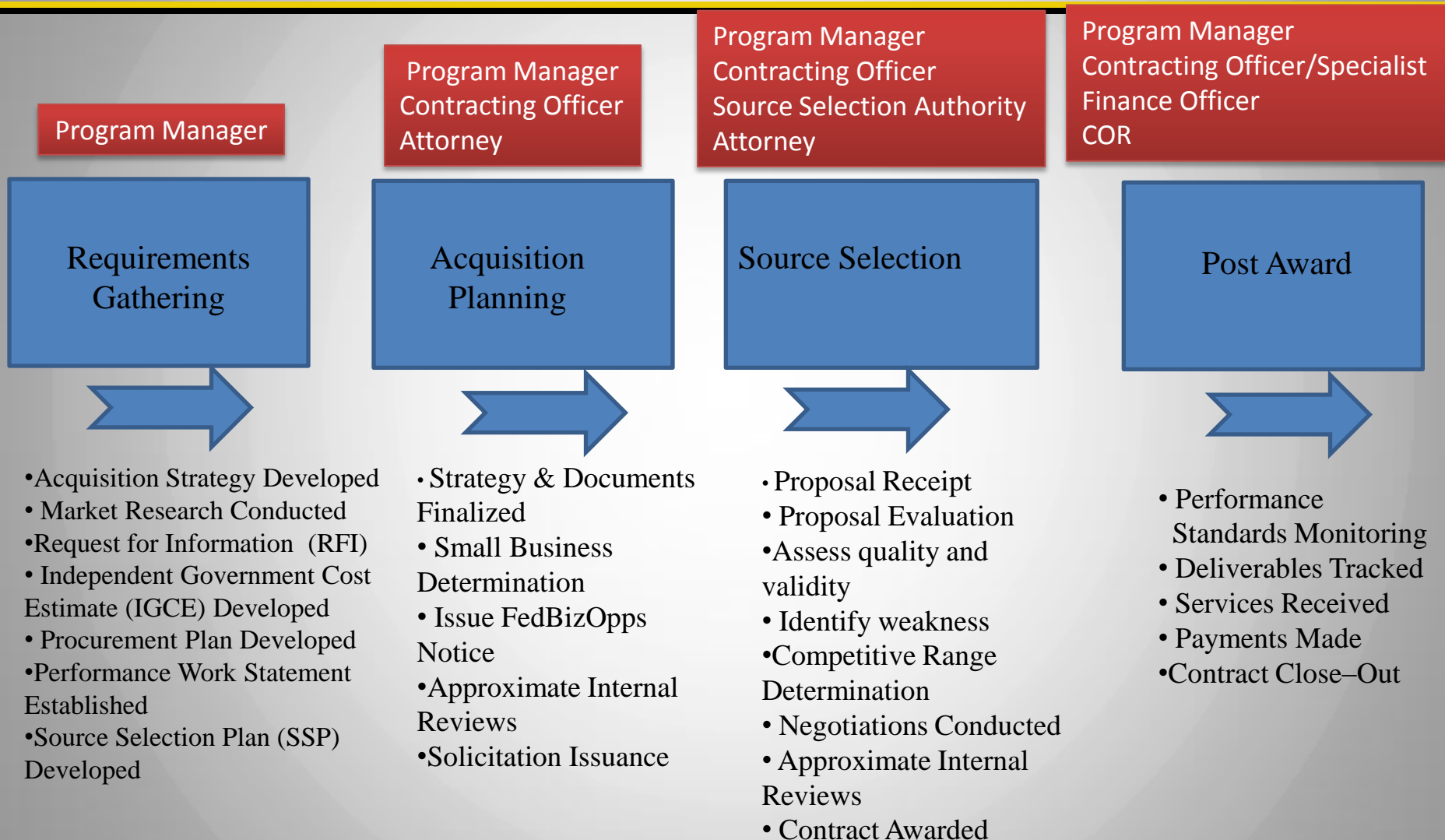
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The Acquisition Roles

- Program Manager/Technical Expert
- Contract Specialist
- Contracting Officer (KO/CO)
- Contracting Officer Representative (COR)
- Finance Officer
- Attorney

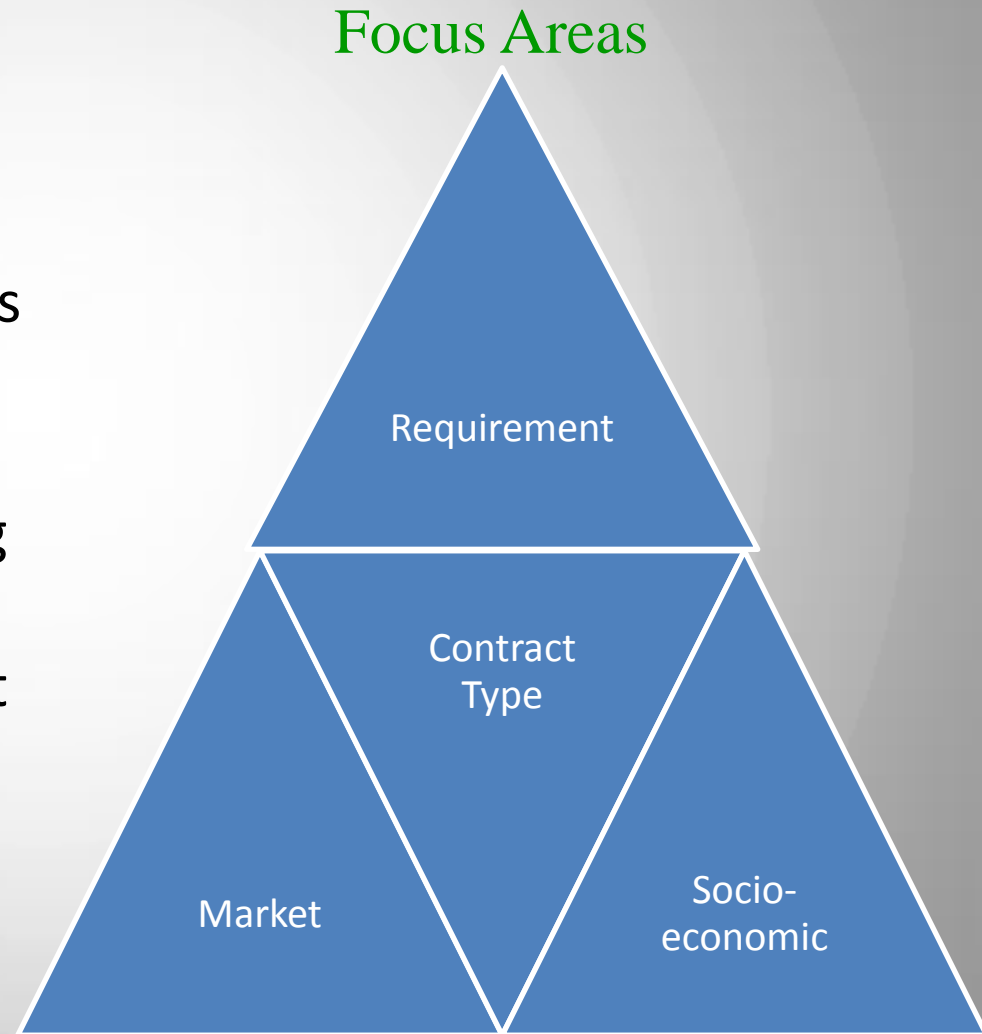


Acquisition Process



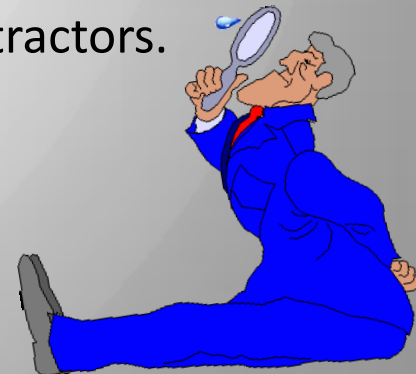
Acquisition Planning

- Acquisition planning is the up-front process for determining a strategy for effectively meeting customer needs. Acquisition planning focuses on the business and technical management approaches for achieving program objectives and meeting customer requirements within specified resource constraints. It also involves selecting the best contracting strategies for meeting those objectives and requirements.



Market Research

- Market Research - explores a variety of potential sources that may be able to meet the government's requirement.
- ***Strategic market research*** involves an ongoing investigation into the capabilities of the commercial marketplace
- ***Tactical market research*** provides information that is more focused on the "instant" requirement that the contracting officer is currently working, and is used to learn the capabilities of potential contractors.



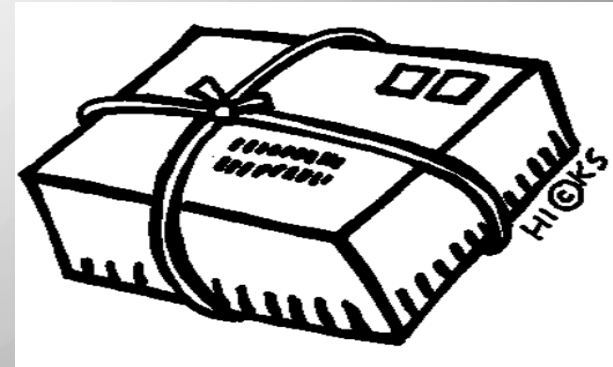
Pre-solicitation Conferences

- The contracting officer may decide that a *pre-solicitation conference* with potential offerors would be beneficial, particularly for a new or complex requirement. The intent of the pre-solicitation conference is to:
 - Clarify complicated specifications
 - Explain work concepts not easily conveyed in writing
 - Assure a clear and mutual understanding of the solicitation
- Frequently the results of the conference aid the contracting officer to write a more effective solicitation document that better conveys what the Government requirements. The DoD contracting officer and contractors work together to ensure the solicitation articulates the Government's requirements.



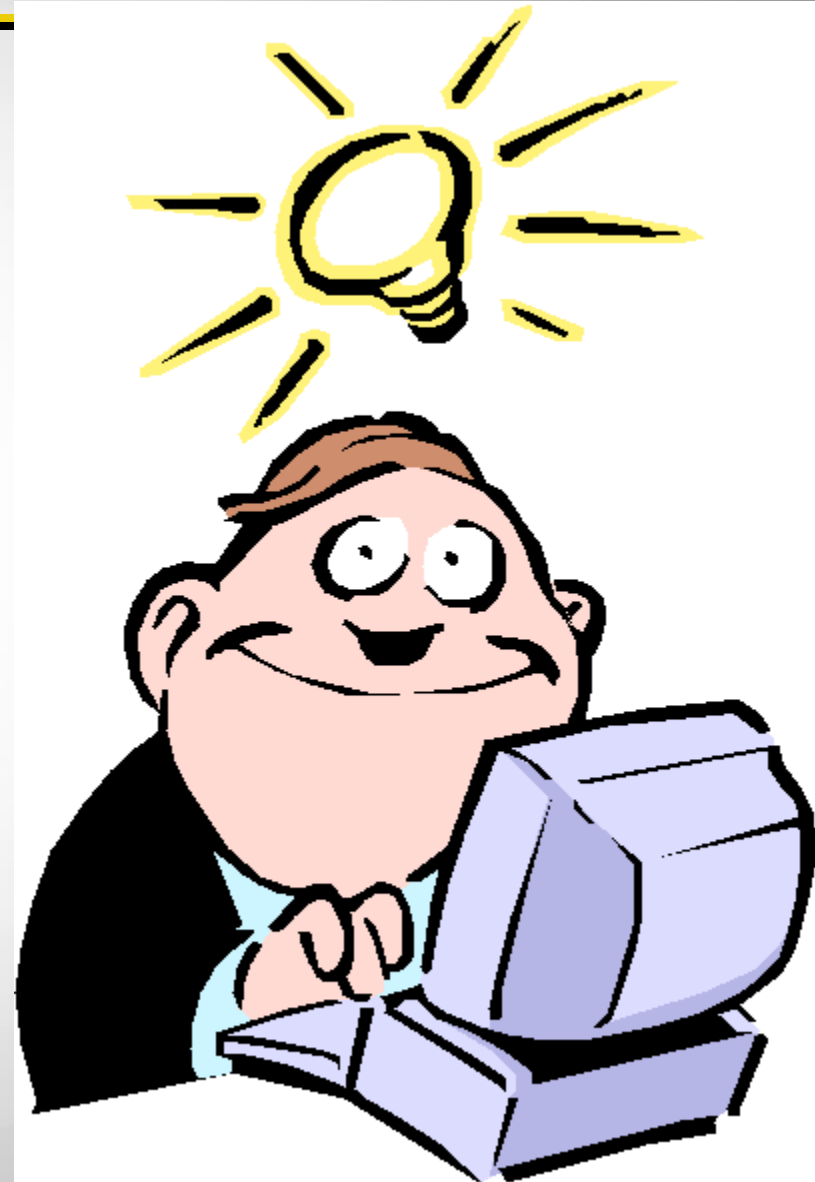
The Procurement Package

- A description of what is to be acquired
- A fund citation or other statement of funds availability
- The date by which the items or services are required
- Where the items or services are to be delivered or performed
- A point of contact at the requiring activity
- Authorized signatures
- Any other information that will help the contracting office to process the request, such as names and addresses of recommended sources



Understanding the Requirement

- Contracting personnel cannot meet their customer's requirement if they do not understand it. As the *business advisor*, the contracting professional must get involved very early in the process to provide advice and guidance in the preparation of these documents.
- Properly drafted requirements documents can help the contracting officer develop the widest range of competition possible, which goes a long way towards reducing prices and increasing performance.



Socioeconomic Requirements

- The policy of the federal government is to promote contracting opportunities for small businesses, historically underutilized business zone (HUBZone) small businesses, small disadvantaged businesses, service-disabled veteran-owned small businesses, and so on.
- The essential point here is that there are various Congressionally-established categories of businesses that contracting officers must consider as they determine where and how they are to meet customer requirements. It is not always as simple as selecting the contractor that offers the best item at the lowest price. FAR Part 8, Required Sources of Supplies and Services and Part 19, Small Business Programs, contain more detailed information on this issue.



Contract Types

CONTRACT TYPES

Stand-alone contracts	Indefinite-quantity contracts <i>(also known as task order contracts)</i>	Basic ordering agreements	Blanket purchase agreements
Do not allow for individual orders to be placed against the contract.	Provide for an indefinite quantity, within stated limits, of products or services during a fixed period. Government places orders for individual requirements under these contracts. GSA schedule contracts are often indefinite-quantity contracts.	May be used to expedite contracting for uncertain requirements for products or services when specific items, quantities, and prices are not known at the time the agreement is executed. Basic ordering agreements are not contracts.	Are a simplified method of filling anticipated repetitive needs for products and services by allowing agencies to establish "charge accounts" with qualified vendors. These agreements may be established under a GSA schedule contract. Blanket purchase agreements are not contracts.

The government's basis for payments, contractor's obligations, and the party assuming more risk for cost overruns changes depending on whether the contract is fixed price, cost reimbursable, or time-and-materials.

Fixed price	Cost reimbursable	Time-and-materials <i>(focus of this report)</i>
<p>Government pays fixed price even if actual total cost of product or service falls short of or exceeds the contract price. May also pay an award or incentive fee related to performance.</p> <p>Contractor provides an acceptable deliverable at the time, place, and price specified in the contract.</p> <p>Who assumes risk of cost overrun? Contractor.</p>	<p>Government pays contractor's allowable costs. Also pays a fee, which may be related to performance.</p> <p>Contractor makes good faith effort to meet government's needs within the estimated cost.</p> <p>Who assumes risk of cost overrun? Government.</p>	<p>Government pays fixed per-hour labor rates that include wages, overhead, general administrative costs, and profit; government might reimburse contractor for other direct costs, such as travel and materials costs.</p> <p>Contractor makes good faith effort to meet government's needs within the ceiling price.</p> <p>Who assumes risk of cost overrun? Government.</p>

Publicizing the Requirement

- Publicizing proposed contract actions increases competition, broadens industry participation, and helps to meet federal socio-economic policies by helping small businesses obtain contracts and subcontracts.
- Federal regulations require that contracting officers publicize proposed contract actions expected to exceed \$25,000 through the on-line *government point of entry*, or FedBizOpps. The notice must be posted at least 15 days prior to when the formal contract solicitation will be issued. However, contracting officers are allowed to issue a combined synopsis/solicitation document for commercial items, thus reducing the time required to solicit and award contracts for commercial item requirements.

Spread the Word!



Exceptions to the Requirement to Publicize

- The contracting officer must thoroughly document the rationale for using one of these exceptions:
 - Compromise National Security
 - Urgent and Compelling
 - Only One Source
- Proposed contract actions between \$10,000 and \$25,000 do not have to be synopsized on the FedBizOpps website at all, but do need to be posted in a public place or on a public electronic forum. There is no specific requirement to publicize proposed actions below \$10,000. However, for all actions above the micro-purchase threshold (>\$3,000), contracting officers must obtain competitive quotes even if they do not formally publicize the requirement.

Solicitation Response Times

- For non-commercial items, contracting officers must allow at least a 30-day response time for receipt of bids or proposals from the date of issuance of a solicitation if the proposed contract action is expected to exceed the simplified acquisition threshold of \$100,000.
- For commercial items within the simplified acquisition threshold, the Federal Acquisition Regulation permits contracting officers to use streamlined solicitation procedures by shortening the normal 30-day response time required for allowing potential offerors to respond to the solicitation.



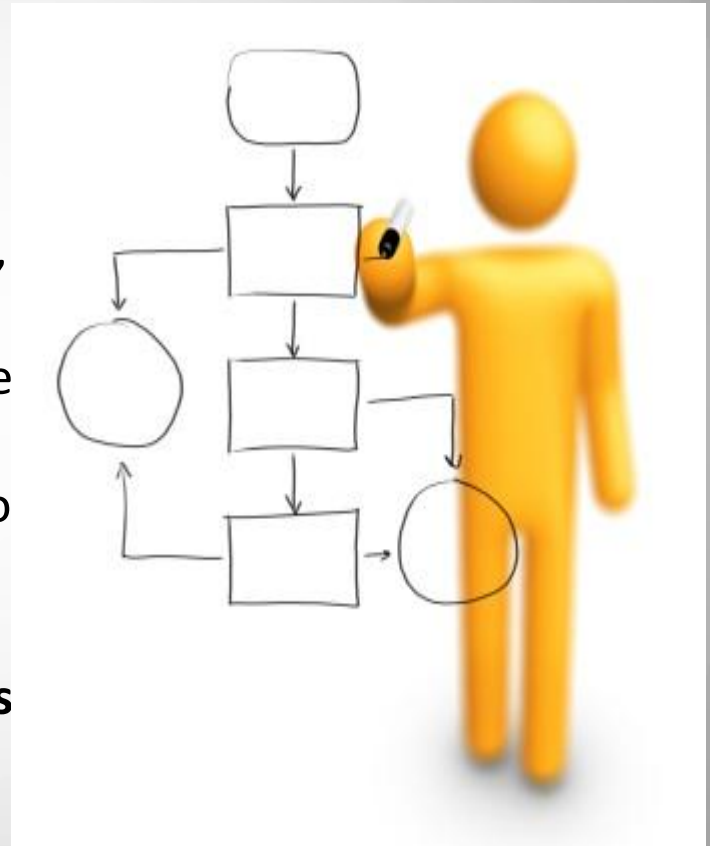
Purchases within the Micro-Purchase Threshold (<\$3,000.00)



- The Federal Acquisition Regulation requires contracting officers only to determine that the price they pay for items under the micro-purchase threshold be "**fair and reasonable.**" There is no requirement to obtain competitive quotes.
- Government personnel typically make these purchases using the Government wide Commercial Purchase Card (GCPC). DoD agencies manage their own programs for these cards. Recent reports of GCPC abuse has resulted in tightening up of some agencies' GCPC program controls.

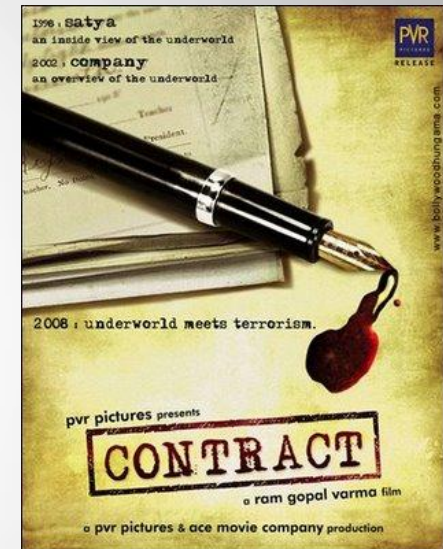
Purchases within the Simplified Acquisition Threshold (<\$100,000)

Contracting officers can use streamlined procedures when buying goods and services not exceeding \$100,000. Under simplified acquisition procedures, contracting officers do not have to do a detailed analysis of the offers they receive, as they have to do for higher-dollar acquisitions. They have to obtain just three competitive quotes (or document why they could not get three quotes). They also have fewer contract clauses to contend with. However, under simplified acquisition procedures **contracting officers are still responsible for ensuring that the price they pay is fair and reasonable.**



Solicitation/Contract Format

- Speaking of the solicitation document ... it can be rather lengthy! The uniform contract format contains 13 sections:
 - Section A Solicitation/Contract Form
 - Section B Supplies or Services And Price/Costs
 - Section C Description/Specification/Statement Of Work
 - Section D Packaging And Marking
 - Section E Inspection And Acceptance
 - Section F Deliveries And Performance
 - Section G Contract Administration Data
 - Section H Special Contract Requirements
 - Section I Contract Clauses
 - Section J List Of Attachments
 - Section K Representations, Certifications And Other Statements Of Offerors
 - Section L Instructions, Conditions, And Notices To Offerors
 - Section M Evaluation Factors For Award
-
- **All 13 sections are made part of the solicitation, but only sections A through J physically become part of the final contract.**



A Few Words About Proposals...

- Follow the instruction (Sec. L) to the letter
- Section M will tell you how you will be evaluated. If you don't qualify get out early. PROPOSALS ARE EXPENSIVE
- Once the RFP is released it is very difficult to influence the acquisition.
- Try to avoid “assumptions” if possible
- Do a thorough review of your proposal before you send it to the Contracting Officer
- Get it in on time – or a day early
- A protest will not be considered for any information disclosed 10 days back
- Don't protest unless you really have a case – bounce it off a third party .
- Request a debriefing so you can understand your shortcomings as well as what you did right.



Monitoring Contract Performance

- Both the Government and the contractor are obligated to act in accordance with the terms and conditions in the contract. However, not all contracts are performed in compliance with the terms and conditions or within the required time frames. Poor performance or late deliveries may cause costly delays in program execution. As a result, the contracting officer must ensure that contract performance is closely monitored.
- Part 46 (Quality Assurance) of the Federal Acquisition Regulation requires federal agencies to ensure that deliverables from contractors meet contract requirements before they are formally accepted by the Government.



The Contracting Officer Representative

The Contracting Officer Representative (COR) or Contracting Officer Technical Representative (COTR) assists the contracting officer with ensuring that the contractor is performing the technical requirements of the contract in accordance with contract terms, conditions, and specifications.

The COR/COTR can:

- Submit reports that identify potential or actual delays in performance,
- Work with the contracting officer and contractor to develop recommendations and remedial action if needed.
- Performing quality checks ...so they are also referred to as quality assurance *representatives* (QAR) or *evaluators* (QAE).



The COR/COTR cannot:

- Award, agree to, or sign any contract. All contractual agreements, commitments, or modifications shall be made only by the contracting officer.
- Make any commitments or obligate the Government to make changes to the contract.
- Grant deviations from or waive any terms and conditions of the contract.

Contract Modifications

In a perfect world, Government contracts would need no changes for any reason, including termination of the contract, changed customer requirements, or administrative changes. However, in the real world contract changes are often required.

- A **contract modification** is any change to the terms of a contract.
- Only contracting officers can execute a modification to a Government contract.
- There are two types of modifications: bilateral and unilateral.
 - **Bilateral modifications** are used to direct a final decision by the Contracting Officer or to effect administrative changes to a contract
 - **Unilateral modifications** complete the agreement between both parties to change the contract



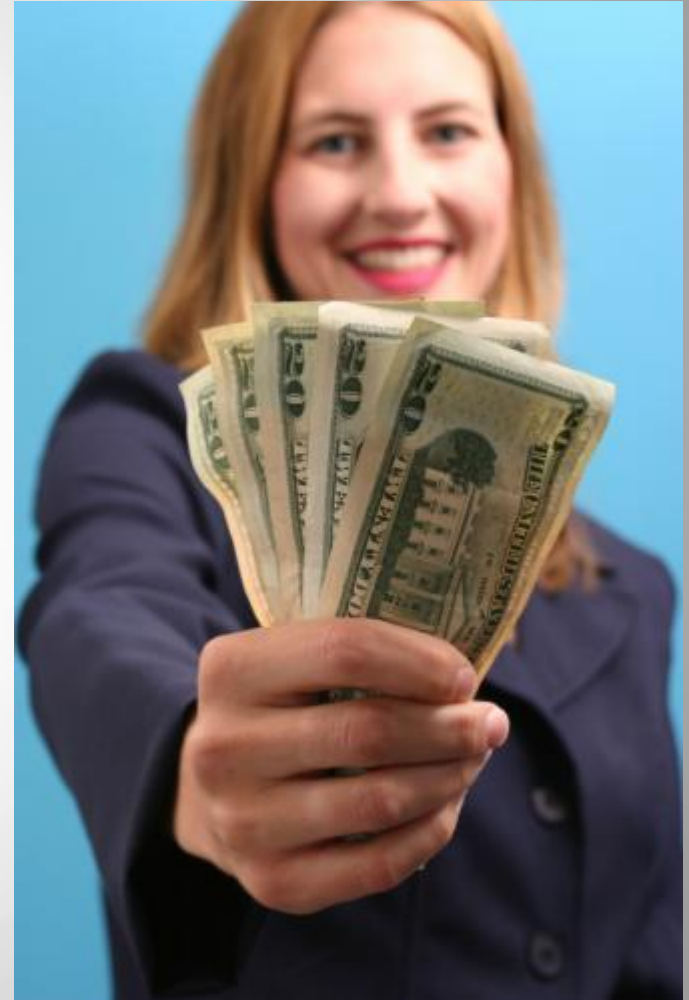
Contract Payments

- The goal of every contracting arrangement is for the Government to receive the supplies and services it contracted for, and for the contractor to get paid for his or her efforts.
- For some contracts for non-commercial items, the contracting officer may provide *progress payments* to the contractor, which is a process of making payments to the contractor as work is completed. The milestones of "progress" are defined in the contract itself, and the contracting officer outlays progress payments to the milestones achieved of completed work. The customary progress payment rates for DoD contracts are 80% of the milestone payment for large businesses and 85% of the milestone payment for small businesses.



Contract Payments, Cont.

- Contractors typically are not paid until they deliver the supplies or perform the services specified in the contract.
- DoD agencies have largely automated the payment process in order to be fully integrated with the Defense Finance and Accounting Service's (DFAS) system via the Wide Area Work Flow.
- Contracting officers should be able to electronically certify to DFAS that the terms of the contract were fulfilled. DFAS will then be able to pay the contractor by matching the contracting officer's certification to the contractor's electronically submitted invoice.



Contract Closeout



The contracting process is not entirely complete when final delivery is made of the required supplies and services and the contracting officer has authorized payment to the contractor. The *contract closeout* process is not complete until all administrative actions are performed. Issues such as return of any government property used by the contractor, the disposition of classified or sensitive documents in possession of the contractor, and any disputes relating to the incurring of actual costs in cost-reimbursable contracts need to be resolved before the contract can be closed out. Timely closeout de-obligates excess funds and returns those remaining funds for possible use elsewhere.

Good Luck!!!!

In landing the big one



Office of Small Business Programs

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Questions?



Closing Thought....

**Always maintain your integrity....
even when your prime contractor, subcontractors,
suppliers or customers may not.**

**In business.....
you are only as good as
your word!**